

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 5-7, 11-12, and 15-16 are pending; Claims 1, 5, 7, and 11 are amended; Claims 2-4, 8-10, and 13-14 are canceled; and Claims 15-16 are added by the present amendment.

The outstanding Official Action rejected Claims 13 and 14 under 35 U.S.C. § 101; rejected Claims 1, 4, 6, 7, 10, and 12 under 35 U.S.C. § 112, second paragraph; rejected Claims 1-3, 7-9, and 13-14 under 35 U.S.C. § 102(b) as unpatentable over U.S. Patent No. 6,452,952 to Okuhara; and indicated Claims 4-6 and 10-12 as reciting allowable subject matter.

Applicants acknowledge with appreciation the indication of allowable subject matter. In view of this indication, Claim 1 is amended to recite the allowable subject matter of Claim 4; Claim 7 is amended to recite the allowable subject matter of Claim 10; and rejected Claims 2-4, 8-10, and 13-14 are cancelled. No new subject matter has been added.

Applicants respectfully traverse the rejections of Claims 1, 4, 6, 7, 10, and 12 under 35 U.S.C. § 112, second paragraph with respect to the “configured to” language. The outstanding Official Action refers to MPEP § 2173.05(d) to support the assertion that the claim language “configured to” renders the claims indefinite. While MPEP § 2173.05(d) refers to the claim language “for example” and “such as” as being indefinite, this section of the MPEP does not state that the “configured to” claim language is indefinite.

Furthermore, the Federal Circuit in State Street Bank & Trust Co. v. Signature Financial Group, Inc., 143 F.3d 1368 (Fed. Cir. 1998) construed the scope of the claims using the language “configured to.” Thus, Applicants believe that the language “configured to” is in order. Therefore, Applicants request that the rejection of Claims 1, 4, 6, 7, 10, and 12

under 35 U.S.C. § 112, second paragraph with respect to the “configured to” language be withdrawn.

The claim language “capable of” is removed from the claims. Thus, the rejection of the claims under 35 U.S.C. § 112, second paragraph with respect to the “capable of” claim language is rendered moot.

New Claims 15 and 16 recite the subject matter from original Claims 6 and 12. No new matter is added. As the outstanding Official Action indicated Claims 6 and 12 as reciting allowable subject matter, Applicants respectfully submit that Claims 15 and 16 are in condition for formal allowance.

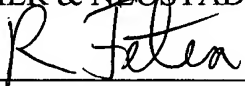
Consequently, in view of the present response, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance for the pending claims is earnestly solicited.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Remus F. Fetea, Ph.D.
Registration No. 59,140

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